

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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FIDEL ADAMS,	:	
	:	
Plaintiff,	:	
	:	<u>DECISION & ORDER</u>
v.	:	20-CV-4630 (WFK) (TAM)
	:	
EURO STRUCTURE LLC et al.,	:	
	:	
Defendants.	:	
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WILLIAM F. KUNTZ, II, United States District Judge:

On September 27, 2021, the parties in the above-captioned case filed a joint motion for settlement approval. ECF No. 33. On October 13, 2021, Magistrate Judge Taryn A. Merkl held a fairness hearing at which she directed the parties to either revise the Mutual General Release clause in the proposed Settlement Agreement, or submit additional briefing on the issue due to concerns identified by Judge Merkl on the record. On November 4, 2021, the parties filed supplemental briefing in support of their motion for settlement approval. ECF No. 37.

On November 23, 2021, Judge Merkl filed a Report and recommendation (“R&R”) finding that the proposed general release as to Defendants was too broad and one-sided to be considered fair and reasonable. ECF No. 39. Accordingly, Judge Merkl recommended the parties be given an opportunity to submit a revised settlement agreement within 30 days. *Id.* Objections were due on December 7, 2021 and none were filed.

The Court reviews a Report and Recommendation for clear error when no objections have been filed. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007) (Garaufis, J.). The Court finds no such error here. The Court therefore adopts the Report and Recommendation of Magistrate Judge Merkl in its entirety and orders the parties to file a revised

settlement agreement by Friday, January 7, 2022. The Court reserves judgment on the parties' pending motion for settlement approval, ECF No. 33.

SO ORDERED.

s/ WFK

Dated: December 8, 2021
Brooklyn, NY

HON. WILLIAM F. KUNTZ, II
U.S. DISTRICT JUDGE